

WASHINGTON COUNTY COMMISSION
MEETING MINUTES
APRIL 5, 2011

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman Dennis Drake at 4:00 p.m. on April 5, 2011, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Commission Chairman Dennis Drake, Commissioner James J. Eardley, Commissioner Alan D. Gardner, Washington County Administrator Dean J. Cox, Deputy County Attorney David L. Patterson, and Deputy County Clerk Christine Hall.

The Spectrum was not represented at the meeting.

Commissioner Gardner led the Pledge of Allegiance.

AGENDA

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the Regular Agenda.

- Consideration of Auditor-Approved Claims for Payment for March 16, 2011, through April 5, 2011
- Consideration of Administrative Adjustments: Personal Property (attached)
- Consideration of Administrative Adjustments: Real Property (attached)
- Consideration of Applications for Property Tax Abatement:
Daniel Cloyd, S/N SG-BHE-4; Penni Leavitt, S/N H-354; Steven Richmond, S/N W-RP-1-27-A; Richard & Norma Jeannie Snyder, S/N H-ZGRV-54; Dorothy & Brad Thurston, S/N SG-CTE-4-72; Jack Reber, S/N 1-28-C; James & Ida Marie Carter, S/N SG-SKE-14; Geraldine Hendricks, S/N SG-SFRC-3-58; and Roger Hardin, S/N W-WHE-1-17
- Consideration of Applications for Settlement or Deferral of Property Taxes:
Charles Weihing, #389869; Doug Hamblin, #537137; Susan Maddox, #404270; Susan McGregor Williams, #426430; Jonathan & Michelle Hammon, #472582; M. Jean Gurney, #333578; Ranel & Kathleen Erickson, #181894; Tyler & Sommer Bowler, #556178; Vick Enterprises (3) #71913, 72911, and 72796; Heather Clark, #214448; Amy & Vincent Benedict, #76359; Jerry & Judy Averett, #1993461; Michael Roberts, #778293; Ray Schmutz Family Partnership, #290745; Jeffrey Feldman (2), #290729 and 2907371; Douglas Hendrickson, #360381; Red Canyon Builders, Inc., #584477; Jeff Worthington, #765001

- Consideration of Amendment #1 to Contract for Financial Advisory Services between Zions Bank Public Finance and Washington County, with a Term to Expire March 6, 2013

Actions of the Washington County Planning Commission Meeting / 03-22-11

No items were presented today.

MOTION: Motion by Commissioner Gardner to Approve the Consent Agenda, as presented. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

VOLUNTEER OF THE MONTH / CAROL HOLLOWELL

Carol Hollowell, Director of the Volunteer Center of Washington County, introduced the Volunteer of the Month: Granetta Breeze. Ms. Breeze has been volunteering through the Volunteer Center for thirteen (13) years and will be receiving the Silver Bowl award from the Lt. Governor later this week. She volunteers at various special events around the community, at the college, and at the Volunteer Center. Ms. Breeze explained that after her husband passed away, she felt it important to fill her time with volunteer activities and give back to the community.

PURCHASE REQUESTS / MARK BLANCH

Dixie Center, surveillance cameras	\$ 10,788.40
Mosquito Abatement District, chemicals & equipment	\$ 37,295.00
Convention & Tourism Office, vehicle (trade-in)	\$ 10,109.00
Sheriff's Office, lease payment on vehicles	\$165,770.77

All purchases are budgeted, bonded, or paid for through grant funds.

MOTION: Motion by Commissioner Eardley to Approve the Above Purchase Requests. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.

CONSIDERATION OF PROCLAMATION: APRIL 2011 AS CHILD ABUSE PREVENTION MONTH / PATRICIA SHEFFIELD

Patricia Sheffield, Director of the Children's Justice Center in Washington County, asked the Commission to approve and sign a Proclamation she read declaring April as Child Abuse Prevention Month. A copy of this Proclamation may be obtained through the Office of the Washington County Commission.

MOTION: Motion by Commissioner Eardley to Approve the Proclamation Declaring April 2011 as Child Abuse Prevention Month, as presented. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.

PRESENTATION: IRONMAN TRIATHLON / KEVIN LEWIS

Kevin Lewis, representing the Washington County Convention & Tourism Office (CTO), narrated a PowerPoint presentation containing the highlights of the Ironman Triathlon of 2010 and expectations for the upcoming Ironman 2011, which takes place on May 7th.

Last year's race had about two thousand one hundred and fifty (2,150) athletes participating, with a total economic impact on the community of seven point eight five million dollars (\$7,850,000). Sixty-eight percent (68%) said they planned to return for vacation, and thirty-eight percent (38%) said they would return to train again. This year, two thousand and sixty-six (2,066) people are registered for the race.

Volunteers are still needed to assist in all aspects of the race and are welcome to contact the CTO to find out how to participate in this memorable event, or go to ironmanstgeorge.com.

CONSIDERATION OF FINAL PLAT APPROVAL: WHISPERING PINES SUBDIVISION, PHASE 3, 21 LOTS, CONTAINING APPROXIMATELY 32+ ACRES, NW, NE AND SE 1/4, SECTION 12, T39S, R11W, SLBM, GENERALLY LOCATED EAST OF TERRACE DRIVE SUBDIVISION ON KOLOB. KARL SORSONSEN, AGENT

Washington County Planner Deon Goheen said that the Planning Commission has reviewed this final plat and recommended its approval, finding that it meets the County subdivision ordinance.

MOTION: Motion by Commissioner Eardley to Grant Final Plat Approval of Whispering Pines Subdivision, Phase 3, 21 Lots, Containing Approximately 32+ Acres, NW, NE And SE 1/4, Section 12, T39S, R11W, SLBM, Generally Located East Of Terrace Drive Subdivision On Kolob. Karl Sorsonsen, Agent. Motion seconded by Commissioner

Gardner and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.

CONSIDERATION OF REVISION OF TWO (2) ITEMS IN THE WASHINGTON COUNTY POLICY AND PROCEDURES MANUAL: VEHICLE POLICY; DISPUTE RESOLUTION PROCESS

County Administrator Dean Cox said that the vehicle policy has been updated to allow for Commission-approved departmental policies for the Washington County Sheriff's Office, which will be considered separately from decisions involving other departments.

Concerning the dispute resolution process, Step One of the current policy (Department Head Review) will be reduced from thirty (30) days to ten (10) days, which is ample time for that step to be completed.

MOTION: Motion by Commissioner Gardner to Approve the Revisions of Two (2) Items In The Washington County Policy And Procedures Manual: Vehicle Policy; Dispute Resolution Process. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.

CONSIDERATION OF RESOLUTION NO. R-2011-1549, A RESOLUTION APPROVING A MUTUAL AID AGREEMENT BETWEEN WASHINGTON COUNTY, UTAH SHERIFF'S OFFICE AND ZION NATIONAL PARK, NATIONAL PARK SERVICE

Sheriff Cory Pulsipher said that, upon review of this agreement, it was decided to amend it so that personnel from the National Park Service in the Kolob area who respond to an emergency situation (life-threatening, major property damage) are authorized to handle the situation until the arrival of a Sheriff's Office deputy.

MOTION: Motion by Commissioner Eardley to Adopt Resolution No. R-2011-1549, A Resolution Approving A Mutual Aid Agreement Between Washington County, Utah Sheriff's Office And Zion National Park, National Park Service. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.

CONSIDERATION OF RESOLUTION NO. R-2011-1550, A RESOLUTION TO APPROVE AGREEMENT BETWEEN WASHINGTON COUNTY AND THE CITY OF ST. GEORGE FOR THE REIMBURSEMENT OF COSTS ASSOCIATED WITH THE REPAIR AND INSTALLATION OF EROSION CONTROL FACILITIES

Mr. Whitehead said that the Federal Emergency Management Agency (FEMA) reviewed damages done to erosion control facilities in the flood of 2010. FEMA determined that the County still had control of some of those structures, despite the fact that the County has agreements in place with St. George City, stating that the City is responsible for its own erosion control facilities. It was agreed that the County will be the sponsoring entity and the City will work through the County to obtain FEMA funding, with the City being responsible for all costs and paperwork associated with this project. The County will act as facilitator.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2011-1550, A Resolution To Approve Agreement Between Washington County And The City Of St. George For The Reimbursement Of Costs Associated With The Repair And Installation Of Erosion Control Facilities. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.

CONSIDERATION OF RESOLUTION NO. R-2011-1551, A RESOLUTION APPROVING THE EXECUTION OF THE AGREEMENT BETWEEN SUNROC AND WASHINGTON COUNTY TO PROVIDE EMERGENCY WATERSHED PROTECTION MEASURES FOR THE NEW HARMONY EWP MILL FLAT FIRE REHABILITATION PROJECT IRRIGATION PIPELINE PROJECT LOCATED IN NEW HARMONY, WASHINGTON COUNTY, UT

The bid opening was just held earlier today, and Sunroc is the apparent low bidder. Mr. Whitehead asked for the Commission to adopt the above Resolution naming Sunroc as a party to the agreement, subject to final review of all documents and data from Sunroc for accuracy and completion.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2011-1551, A Resolution Approving The Execution Of The Agreement Between Sunroc And Washington County To Provide Emergency Watershed Protection Measures For The New Harmony EWP Mill Flat Fire Rehabilitation Project Irrigation Pipeline Project Located In New Harmony, Washington County, UT, subject to final approval of all documents submitted by Sunroc. In the Event any of Those Documents are Inaccurate or Incomplete, the County Reserves the Right to Award the Contract to the Next Lowest Bidder. Motion seconded by Commissioner Eardley and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.

CONSIDERATION OF RESOLUTION NO. R-2011-1552, A RESOLUTION TO APPROVE AND ADOPT A MEMORANDUM OF UNDERSTANDING BETWEEN

**SITLA AND WASHINGTON COUNTY FOR PAYMENTS IN LIEU OF TAXES
RELATING TO CORAL CANYON PROPERTIES OWNED BY THE TRUST
LANDS ADMINISTRATION**

Deputy County Attorney David L. Patterson asked the Commission to Table this item pending further review of certain language contained in the Memorandum of Understanding.

MOTION: Motion by Commissioner Eardley to Table Resolution No. R-2011-1552, A Resolution To Approve And Adopt A Memorandum Of Understanding Between SITLA And Washington County For Payments In Lieu Of Taxes Relating To Coral Canyon Properties Owned By The Trust Lands Administration Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Drake, Eardley, and Gardner voting aye.

COMMISSIONERS' REPORT

Mr. Whitehead said that FEMA has determined that the County's insurance carrier, Utah Counties Insurance Pool (UCIP) is responsible for damage to County roads that occurred during recent flooding. UCIP has sent a letter saying such damage is not covered, and Mr. Whitehead has forwarded that letter on to FEMA. FEMA requested that the County submit a specific claim to UCIP for a certain portion of roadway, at which time UCIP can deny the claim and then FEMA will consider the County's request for payment. There have been substantial delays in dealing with FEMA, and it has been a frustrating and difficult process. The County does appreciate FEMA's assistance, on those occasions when it does come to fruition.

PUBLIC WORKS OR ROAD BUSINESS

The Public Works Department is still working with FEMA inspectors on some small projects which have been approved. Mr. Whitehead has been told by Federal Highways that certain projects are eligible for Federal Highways projects. He is in receipt of a letter stating that Washington County may be eligible to be reimbursed one hundred percent (100%) for some emergency repairs costs.

The bid opening for work done in the New Harmony area as a result of the Mill Flat Fire was held today, in conjunction with the Natural Resources Conservation Service (NRCS). NRCS has no available funding at this time, however, except for the exigency funding previously approved in Rockville. He has asked FEMA to review each potential project and create a worksheet during the next week to determine their eligibility.

One public service announcement: next week the Road Department will be working on paving the approach to the Moody Wash Bridge between Gunlock and Veyo, if weather permits. If so, the road will be closed for a couple of days.

Chairman Drake advised that Old Highway 91 is still a bit hazardous, as parts of it are not paved. The public is cautioned to be careful while traveling along that roadway.

COUNTY DEVELOPMENT AND PLANNING BUSINESS

Mr. Cox said that he has been working with the IT Department and personnel at the Sheriff's Office on a solution that will satisfy the GRAMA requirements for retention of email. It appears as if the per-user cost for licensing the hardware and software is a little less than twenty dollars (\$20.00) per user, and it will be established at some point that each department be billed per email address covered by that system.

Additionally, the IT Department will be devising a system whereby stale links can be avoided on the County website. One way to do this would be for the person requesting the link also include an expiration date after which the link may safely be removed. Commissioner Gardner mentioned that the Utah State University Extension Office is not available by link on the County website, and Mr. Cox said that he will ensure that it is.

Request a Closed Session

None.

There being nothing further to come before the Commission, the meeting was adjourned at 4:56 p.m.

CHRISTINE S. HALL
DEPUTY CLERK

DENNIS DRAKE
CHAIRMAN